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PATENT  
[Signature]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

SUNDREHAGEN et al.

Group Art Unit: 1743

Serial No.: 09/679,043

Examiner: Not assigned

Filed: October 4, 2000

For: COBALAMIN ASSAY

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SUBMISSION OF SUBSTITUTE DECLARATION

Assistant Commissioner of Patents  
Washington, D.C. 20231

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Sir:

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Applicants submitted on January 11, 2001, a properly and fully executed Declaration in connection with the above identified application in response to the outstanding Official Action which was a Notice to File Missing Parts on November 27, 2000. However, Applicants notified the undersigned attorney that the filing date for the priority application was incorrectly entered in that the date specified was September 20, 1998 and it should have been **September 18, 1998**.

Therefore, Applicants submit herewith a properly and fully executed substitute Declaration with the correct filing date of the priority application of September 18, 1998. Accordingly, it is most respectfully requested that the substitute Declaration be accepted and that the USPTO database be amended to reflect the correct priority filing date.

Respectfully submitted,  
BACON & THOMAS, PLLC

By: Richard E. Fichter  
Richard E. Fichter  
Registration No. 26,382

625 Slaters Lane, 4<sup>th</sup> Fl.  
Alexandria, Virginia 22314  
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REF:kdd  
Substitute Declaration.wpd  
March 28, 2001

# DECLARATION FOR PATENT APPLICATION AND APPOINTMENT OF ATTORNEY

ney Docket No: REF/SUNDREHAGEN/127

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## COBALAMIN ASSAY

the specification of which (check one):

( ) is attached hereto, or (x) was filed on: 4 October 2000 as U.S. Application Serial No.: 09/679,043 (as continuation of PCT International Application No.: PCT/GB99/03127 filed on 20 September 1999)

and (if applicable) was amended on:

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in *Title 37, Code of Federal Regulations, § 1.56*. I hereby claim foreign priority benefits under *Title 35, United States Code, § 119* of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)			PRIORITY CLAIMED	
Number	Country	Day/Month/Year Filed	Yes	No
9820473.8	GB	18 September 1998	X	

I hereby claim the benefit under *Title 35, United States Code, § 119(e)* of any U.S. provisional applications listed below:

Application Number	Day/Month/Year filed
	APR 03 2001
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I hereby claim the benefit under *Title 35, United States Code, § 120* of any United States application(s) or PCT international application(s) designating The United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of *Title 35, United States Code, § 112*, I acknowledge the duty to disclose information which is material to patentability as defined in *Title 37, Code of Federal Regulations, § 1.56* which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

Application Number	Filing date	Status - Patented, Pending or Abandoned
PCT/GB99/03127	20 September 1999	Pending

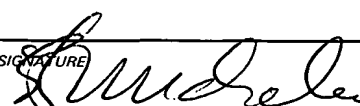
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under *§ 1001 of Title 18 of the United States Code* and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: I(We) hereby appoint as my(our) attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office in connection therewith: J. Ernest Kenney, Reg. No. 19,179; Eugene Mar, Reg. No. 25,893; Richard E. Fichter, Reg. No. 26,382; Charles R. Wolfe, Jr., Reg. No. 28,680; Thomas J. Moore, Reg. No. 28,974; Bruce H. Troxell, Reg. No. 26,592; Joseph DeBenedictis, Reg. No. 28,502; Benjamin E. Urcia, Reg. No. 33,805; and

I(we) authorize my(our) attorneys to accept and follow instructions from Frank B. Dehn & Co. regarding any matter related to the preparation, examination, grant and maintenance of this application, any continuation, continuation-in-part or divisional based thereon, and any patent resulting therefrom, until I(we) or my(our) assigns withdraw this authorization in writing.

Send correspondence to: **BACON & THOMAS**  
625 Slaters Lane - 4th Floor  
Alexandria, VA 22314

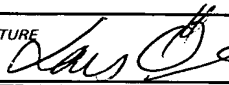
Telephone calls to: **Richard E. Fichter**  
(703) 683-0500

Full Name of First or Sole Inventor Erling SUNDREHAGEN	Citizenship Norwegian
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DATE Feb 26, 2001	SIGNATURE 

(x) See following page(s) for additional joint inventors.

# CONTINUATION OF DECLARATION FOR PATENT APPLICATION AND APPOINTMENT OF ATTORNEY

Page 2

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